

JASON WINEKE,

Plaintiff,

v.

KEN NUNN,

Defendant.

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No. 1:22-cv-00571-TWP-TAB

Litigious¹ pro se Plaintiff Jason Wineke ("Mr. Wineke") filed this action on March 22, 2022. On March 30, 2022, the Court screened Mr. Wineke's Complaint, found that it was subject to dismissal for lack of subject matter jurisdiction and for failure to state a claim upon which relief could be granted. The Court directed him to file an Amended Complaint by April 27, 2022. He did not. Accordingly, Plaintiff's case is **DISMISSED WITH PREJUDICE** for failure to state a claim and lack of subject matter jurisdiction. The Clerk is directed to close this case. Plaintiff has

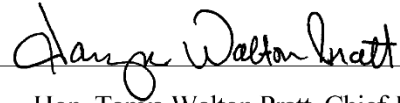
¹ In the last two years, Plaintiff had five cases dismissed by this Court. In March of this year, he filed seven more cases, four of which have been dismissed and three of which are subject to dismissal. *See Wineke v. Transunion Credit Agency*, No. 1:18-cv-03306-WTL-DLP (S.D. Ind. May 31, 2019) (dismissed as a sanction for plaintiff's failure to comply with court orders); *Wineke v. Transunion Credit Agency*, No. 1:19-cv-03158-JMS-TAB (S.D. Ind. Sept. 4, 2019) (dismissed as attempt to reopen another dismissed case against the same defendant); *Wineke v. Transunion Credit Agency*, No. 1:20-cv-00120-RLY-DML (S.D. Ind. Oct. 27, 2020) (dismissed as sanction for failure to comply with court orders); *Wineke v. U.S. Patent and Trademark Office*, No. 1:20-cv-2285-JPH-DLP (S.D. Ind. Sept. 21, 2021) (dismissed for lack of jurisdiction); *Wineke v. Saul*, No. 1:21-cv-00819-RLY-TAB (S.D. Ind. Nov. 2, 2021) (dismissed for lack of jurisdiction); *Wineke v. Check Smart*, No. 1:22-cv-00560-RLY-DLP (S.D. Ind. Mar. 26, 2022) (dismissed on screening for failure to state a claim); *Wineke v. Stephens*, No. 1:22-cv-00569-RLY-MJD (S.D. Ind. Mar. 26, 2022), (dismissed on screening for failure to state a claim); *Wineke v. Key Bank*, No. 1:22-cv-00573-RLY-DML (S.D. Ind. Apr. 26, 2022) (dismissed on screening for failure to state a claim); *Wineke v. Nunn*, No. 1-22-cv-00571-TWP-TAB (S.D. Ind. filed Mar. 22, 2022), (instant case); *Wineke v. Stone*, No. 1-22-cv-00572-TWP-MJD (S.D. Ind. filed Mar. 22, 2022), *pending*; *Wineke v. McCormick*, No. 1-22-cv-00575-JRS-TAB (S.D. Ind. filed Mar. 22, 2022), *pending*; *Wineke v. Here to There Movers*, No. 1:22-cv-00646-RLY-MG (S.D. Ind. filed Mar. 30, 2022), *pending*.

previously been previously admonished that “[f]ederal courts have both the inherent power and constitutional obligation to protect their jurisdiction from conduct which impairs their ability to carry out Article III functions.” *Wineke v. Stephens*, No. 1:22-cv-00569-RLY-MJD (S.D. Ind. Apr. 26, 2022) (quoting *In re McDonald*, 489 U.S. 180, 184 (1989)). Mr. Wineke is again reminded that this Court has the authority to restrict his ability to file actions and to assess fines against him for filing frivolous cases. The Court may elect to use this power if Mr. Wineke does not cease filing frivolous lawsuits and continues to receive dismissals on screening.

Judgment consistent with this Order shall now issue.

SO ORDERED.

Date: 5/4/2022

A handwritten signature in black ink, reading "Tanya Walton Pratt", written over a horizontal line.

Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana

Distribution by U.S. Mail:

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